

**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ALABAMA  
WESTERN DIVISION**

JUSTIN STRIPLING,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Case No.: 7:19-cv-00239-ACA-HNJ
	)	
WARDEN TOMSON, et al.,	)	
	)	
Defendants.	)	

**ORDER**

The magistrate judge entered a report on May 9, 2019. (Doc. 13). In the report, the magistrate judge recommended that the court construe Plaintiff's April 30, 2019 letter as a motion for relief from the court's April 22, 2019 dismissal order pursuant to Rule 60(b)(1) of the Federal Rules of Civil Procedure. (Doc. 13 at 1–2). The magistrate judge further recommended that the court grant Plaintiff's Rule 60(b)(1) motion and set aside the April 22, 2019 dismissal order. (*Id.* at 2). The magistrate judge advised Plaintiff of his right to file specific written objections within 14 days. (*Id.* at 2–3). To date, no objections have been received by the court.

Having carefully reviewed and considered *de novo* all the materials in the court file, including the report and recommendation, the court **ADOPTS** the magistrate judge's report **ACCEPTS** his recommendation. The court **GRANTS**

Plaintiff's Rule 60(b)(1) motion (doc. 12) and **VACATES** the dismissal order entered April 22, 2019 (doc. 11).

The Clerk is **DIRECTED** to send Plaintiff a copy of this order and return this action to the active docket.

**DONE** and **ORDERED** this June 4, 2019.

A handwritten signature in black ink, appearing to read 'A. Axon', is positioned above a horizontal line.

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**ANNEMARIE CARNEY AXON**  
UNITED STATES DISTRICT JUDGE